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Attorney for Defendant  
ROBERT JAMES HANNA

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF CALIFORNIA**

**THE UNITED STATES OF AMERICA,**

Plaintiff,

v.

**ROBERT JAMES HANNA,**

Defendant.

CASE NO. 2:20-CR-00006-KJM

**STIPULATION AND ORDER MODIFYING  
BRIEFING SCHEDULE RE: DEFENDANT'S  
MOTION PURSUANT TO 28 U.S.C. § 2255**

The United States, by and through its attorney of record, Michele Beckwith, and defendant Robert James Hanna, by and through his attorney of record, Erin J. Radekin, respectfully submit this stipulation and proposed order modifying the briefing schedule pertaining to Mr. Hanna's motion pursuant to 28 U.S.C. § 2255, ECF No. 41.

The parties agree and stipulate as follows:

1. Mr. Hanna's pro se motion under § 2255 was filed on September 8, 2022. ECF No. 41.
2. On February 21, 2023, the Court adopted the parties' stipulation modifying the briefing schedule pertaining to Mr. Hanna's § 2255 motion. ECF No. 54. Pursuant to the order, a supplemental brief in support of Mr. Hanna's motion, amended § 2255 motion, or notice of non-supplementation is due on March 14, 2023. *Id.*
3. Ms. Radekin has reviewed all relevant PACER documents in this case, including Mr. Hanna's

pro se motion, the transcripts of the change of plea and sentencing, and the presentence report (PSR). She has conferred with Mr. Hanna and spoken with prior counsel, Jessica Graves. Ms. Radekin has ordered court records pertaining to Mr. Hanna's prior convictions listed in the PSR. She has not yet received, however, the court records for the state conviction found to be a crime of violence for purposes of the guideline calculation. Based on Ms. Radekin's review and research to date, there may be a meritorious issue relating to this conviction to raise in a § 2255 motion. However, Ms. Radekin needs additional time to receive and review the prior conviction documents, perform legal research, and prepare an amended § 2255 motion if indeed she concludes there is such meritorious issue.

4. The parties have conferred and agree that a modification of the briefing schedule is warranted to allow Ms. Radekin to obtain and review the records relating to the prior conviction deemed a crime of violence in this case, to determine whether there is a meritorious issue to raise in a § 2255 motion, and to prepare an amended § 2255 motion, supplemental brief, or a notice of non-supplementation.

5. The parties agree to the following modification of the briefing schedule to allow Ms. Radekin to complete these tasks: an amended § 2255 motion, supplemental brief in support of Mr. Hanna's pro se motion, or notice on non-supplementation, no later than **May 15, 2023**. The government's opposition, or statement of non-opposition, is due **30 days after the amended § 2255 motion, supplemental brief, or notice of non-supplementation is filed**. Any reply to the government's brief is due **15 days after the government's brief is filed**.

IT IS SO STIPULATED.

Dated: March 14, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ Michele Beckwith  
MICHELE BECKWITH  
Assistant United States Attorney

Dated: March 14, 2023

/s/ Erin J. Radekin  
ERIN J. RADEKIN  
Counsel for Defendant  
ROBERT JAMES HANNA

**ORDER**

IT IS SO ORDERED this 20th day of March, 2023.



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CHIEF UNITED STATES DISTRICT JUDGE